

Title 33
ENVIRONMENTAL QUALITY
Part VII.Solid Waste
Subpart 1.Solid Waste Regulations

Chapter 1. General Provisions and Definitions

§101. Scope and Purpose

The Louisiana Legislature recognizes that the safety and welfare of state citizens "require efficient and reasonable regulation of solid waste disposal practices as well as a coordinated, statewide resource recovery and management system" (R.S. 30:2152). Therefore, the ~~Office of Solid and Hazardous Waste of the~~ Department of Environmental Quality has formulated these rules and regulations to:

A. establish standards governing the storage, collection, recovery and reuse, and disposal of solid waste;

B. implement a management program that will protect the air, groundwater, and surface water, and the environment from pollution from solid wastes and thus eliminate the potential threat to human health from such pollution;

C. encourage both citizens and industry to reduce the amount of waste developed and generated in the state; and

D. implement the program specified in R.S. 30:2305 et seq. through the Louisiana Resource Recovery and Development Authority (LRRDA) to utilize solid waste for useful purposes whenever practicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§103. Authority

The Louisiana Environmental Quality Act (R.S. 30:2001 et seq.) established the enforcement authority and procedures for carrying out the purposes of the act. The Louisiana Resource Recovery and Development Act (R.S.30:2301 et seq.) created a Resource Recovery and Development Authority which shall be a function and responsibility of the Department of Environmental Quality. These rules and regulations were developed under the authority of the secretary of the Department of Environmental Quality, as mandated by the Louisiana Solid Waste Management and Resource Recovery Law (R.S. 30:2151 et seq.). The Louisiana Solid Waste Operator Certification and Training Program (R.S. 37:3151 et seq.) created the Louisiana Solid Waste Operator Certification and Training Program. The principal domicile of the board shall be that of the Department of Environmental Quality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§105. ~~Repeals~~Reserved

~~These regulations repeal and replace in their entirety all previously promulgated regulations~~

cited as LAC 33:VII.Subpart 1.

AUTHORITY NOTE: ~~Promulgated in accordance with R.S. 30:2001 et seq.~~

HISTORICAL NOTE: ~~Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).~~

§107. Effective Date

These rules and regulations shall be in full force and effect on the published date of the regulations. ~~February 20, 1993. However, the effective date of these regulations as they apply to existing earthen ditches at industrial establishments and which receive solid waste is August 20, 1993.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§109. Severability

If any provision of these rules and regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act and these regulations that can be given effect without the invalid provision or application, and to this end provisions of these rules and regulations are declared to be severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§111. Review of the Rules and Regulations

These rules and regulations shall be reviewed and revised as follows:

A. Frequency. The office will review these rules and regulations at least once every three years.

B. Criteria. The review criteria will focus on the effectiveness of the rules and regulations in meeting the purposes set forth in LAC 33:VII.101 of these regulations.

C. Revisions. All revisions of the rules and regulations shall be adopted and promulgated in accordance with the Administrative Procedure Act (R.S. 49:950 et seq.) and the Environmental Quality Act (R.S. 30:2001 et seq.).

D. Public Input. Participation by the public and by officials in all levels of government and industry will be solicited in the revision process, as required by LAC 33:VII.111.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§113. Public Information Service

A. Responses to Suggestions and Complaints. ~~The Solid Waste Division~~ department will respond to complaints and suggestions and disseminate all pertinent information concerning solid waste. Information will be disseminated by letter or telephone communication in response to direct inquiries and through a departmental bulletin issued periodically that will include lists of permits, enforcement actions, and similar information of general interest, if such a bulletin is

available.

B. Public Hearings. A summary of all discussions, presentations, and comments submitted will be prepared after each hearing and made available to all who request it, in accordance with R.S. 44.1, et seq.

C. Mailing List. The department will maintain a mailing list of groups or individuals interested in public hearings and other such activities ~~of the Solid Waste Division.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993).

§115. Definitions

For all purposes of these rules and regulations, the terms defined in this Section shall have the following meanings, unless the context of use clearly indicates otherwise.

Access Road—an onsite passageway for vehicles leading from the entrance of a facility to each unit of the facility.

Act—the Louisiana Environmental Quality Act (R.S. 30:2001 et seq.).

Administrative Authority—the secretary of the Department of Environmental Quality or his ~~their~~ delegate, ~~or the assistant secretary of the Office of Solid and Hazardous Waste or his delegate.~~

Agreement—a written contract or other written concurrence between recipient persons and the administrative authority that outlines specific goals or responsibilities

Agricultural Waste—nonhazardous waste resulting from the production and processing of agricultural products, ~~including manures, prunings, and crop residues.~~ Some examples and exclusions of agricultural wastes are included in Appendix H. ~~This term does not include solid wastes defined as industrial solid waste in this Section.~~

Air Curtain Destructor—thermal destruction device consisting of a chamber to contain the waste designed with a device to blow a forced air stream over the waste to prevent the escape of particulate matter and to aid in the combustion process. Air curtain destructors do not meet the definition of an incinerator.

Animal Feed—any crop, such as pasture crops, forage, and grain grown for consumption by animals.

Applicant—any person who intends to be a standard permit-holder for a solid waste processing and/or disposal facility and who has submitted a permit application to the ~~Solid Waste Division of the Office of Solid and Hazardous Waste~~ Department of Environmental Quality.

Aquifer—a formation, group of formations, or part of a formation capable of that contains enough saturated permeable materials to yielding a significant quantities amount of groundwater to wells or springs.

Areas Susceptible to Mass Movement—those areas of influence (i.e., areas characterized as having an active or substantial possibility of mass movement) where the movement of earth material at, beneath, or adjacent to the facility, because of natural or man-induced events, results in the downslope transport of soil and rock material by means of gravitational influence. Areas of mass movement include, but are not limited to, landslides, avalanches, debris slides and flows, soil fluctuation, block sliding, and rock fall.

Assessment Well—see Monitoring Well.

Assets—all existing and all probable future economic benefits obtained or controlled by a particular entity.

~~*Assistant Secretary*—the assistant secretary of the Office of Solid and Hazardous Waste, Department of Environmental Quality.~~

~~*Authority*—the Louisiana Resource Recovery and Development Authority established by R.S. 30:2301.1 et seq.~~

Authorization Certificate—written authorization issued by the administrative authority.

Background Soil pH—the pH of the soil before the addition of substances that alter the hydrogen-ion concentration (see *Soil pH*).

Bailing—a method of obtaining samples of water from a groundwater monitoring well by lowering and raising a weighted bottle, capped length of pipe, or similar device.

Baler—a facility which reduces and restrains a solid waste volume by mechanical compaction to achieve a higher-density-per-unit volume.

Beneficial Use—the use of waste material for some profitable purpose (e.g., incorporating sludge into soil to amend the soil). Avoidance of processing or disposal cost alone does not constitute beneficial use.

Board of Certification and Training—a board for the certification and training of operators of systems or facilities for the disposal of commercial and residential solid waste (established by R.S. 37:3151 et seq.).

Cation-Exchange Capacity—the sum of exchangeable cations a soil can absorb, expressed in milliequivalents per 100 grams of soil, as determined by sampling the soil to the depth of cultivation or solid waste placement, whichever is greater, and analyzing, by the summation method, for distinctly acid soils, or, by the sodium acetate method, for neutral, calcareous, or saline soils.

Clean Closure—the act of ~~closing~~ remediating a facility whereby all solid waste is

removed to a level which is visually clean and chemically protective, including contamination that results from solid waste placement.

Closure—the act of securing a facility that has been used to process, store, or dispose of solid waste in a manner that minimizes harm to the public and the environment.

Closure Plan—a plan for closure and/or post closure of a facility prepared in accordance with the requirements of LAC 33:VII.Subpart 1.

Collect—to accumulate ~~of~~ industrial solid waste or solid waste generated by more than one household or commercial establishment, or by a storage or processing facility.

Coastal Zone—the coastal waters and adjacent shorelands within the boundaries of the coastal zone established by the State and Local Coastal Resources Management Act of 1978 (R.S. 49:213.1-213.21).

Commercial Establishment—a business, including its structures and property, that is involved in the exchange or distribution of goods or commodities, or that rents, leases, or sells space for such activities.

Commercial Solid Waste—all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial solid wastes.

Compactor—a solid waste facility, other than collection and transportation vehicles, which reduces a solid waste volume by mechanical compaction to achieve a higher-density-per-unit volume.

Compliance Order—enforcement action taken by the department to ensure that a certain activity or action is done by the recipient of the order.

Compost—the stabilized and sanitized product resulting from the solid waste which ~~has undergone biological decomposition of organic material which matter and~~ has been stabilized using composting or similar technologies, to a degree that is beneficial to plant growth and that is used, or sold for use, as a soil amendment, artificial topsoil, growing-medium amendment, or other similar uses.

Composting—a controlled process of degrading organic matter with microorganisms.

Composting Facility—a facility where organic matter is processed by natural or mechanical means to aid the microbial decomposition of the organic matter.

Construct—to build, erect, excavate, or form any portion of a solid waste facility.

Construction/Demolition Debris—nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding

asbestos-containing (ACW) contaminated waste, white goods, furniture, trash, materials resulting from lead abatement projects, or treated lumber. The admixture of construction and demolition debris with more than five percent by volume of paper associated with such debris or any other type of solid waste (excluding woodwaste or yard waste) will cause it to be classified other than construction/demolition debris.

Contamination (Environmental)—the degradation of naturally occurring water, air, or soil quality either directly or indirectly as a result of human activities.

Contamination (Solid Waste)—the admixture of any solid waste with any amount of hazardous waste, or any other type of waste not meeting the definition of solid waste.

Contingency Plan—an organized, planned, coordinated course of action to be followed in the event of a fire, explosion, or discharge or release of waste into the environment that could endanger human health or the environment.

Cover Material—soil, or other suitable material approved by the administrative authority, applied on the top and side slopes of disposed solid waste to control vectors, gases, erosion, fires, and infiltration of precipitation; to support vegetation; to provide trafficability; or to ensure an aesthetic appearance.

Crops for Human Consumption—crops grown for human consumption that are not processed to minimize pathogens before they are distributed to consumers.

Curing Area—an area where organic material that has undergone the rapid initial stage of composting is further stabilized into a humus-like material.

Current Assets—cash, other assets, or resources commonly identified as those which are reasonably expected to be realized in cash, sold, or consumed during the normal operating cycle of the business.

Current Liabilities—obligations whose liquidation is reasonably expected to require the use of existing resources, properly classifiable as current assets, or the creation of other current liabilities.

Daily Cover—cover material applied at the end of the operating day to a unit, the working face of a unit, or a facility. ~~(If earthen, cover will consist of a minimum of six inches of cover material).~~

Department—the Department of Environmental Quality as created by R.S. 30:2001 et seq.

Disease Vector—animals such as rodents, fleas, flies, mosquitoes, and other arthropods that are capable of transmitting diseases to humans.

Displacement—the relative movement of any two sides of a fault measured in any direction.

Disposal—the discharge, deposit, injection, dumping, spilling, leaking, or placing of

any solid waste on or into any land or water so that such solid waste, or any constituent thereof, may have the potential for entering the environment or being emitted into the air or discharged into any waters of Louisiana.

Ditch—an earthen trench or excavation principally used to convey wastewaters without regard to whether solids settling or treatment of wastewater occurs therein.

~~*Emergency Exemption*—a special authorization issued to a person by the administrative authority that allows freedom from obligation to these regulations or any portion thereof for a specified period of time, owing to emergencies such as strikes or acts of God.~~

Estimated Life of Facility—the length of time a solid waste facility is capable of accepting wastes, based on its current permit or permit application.

Exemption—a special authorization issued to a person by the administrative authority that allows freedom from obligation to these regulations or a portion thereof.

Existing Facility—any facility (as defined in LAC 33:VII.115) that receives solid waste or that exists or is being constructed on February 20, 1993 that does or will store, process, or dispose of solid wastes. (Facilities closed prior to January 20, 1981, or facilities that have completed the closure/post closure requirements prior to February 20, 1993, are not considered existing facilities.)

Existing Operation—any solid waste operation that manages, collects, stores, processes, or receives solid waste that exists or that is being constructed on February 20, 1993. (Operations closed prior to January 20, 1981, or operations that have completed the closure and/or post closure requirements prior to February 20, 1993, are not considered existing operations.)

Facility—actual land and associated appurtenances used for storage, processing, and/or disposal of solid wastes, but possibly consisting of one or more units. (Any earthen ditches leading to or from a unit of a facility and that receive solid waste are considered part of the facility to which they connect, except for ditches lined with materials capable of preventing groundwater contamination. The term facility does not necessarily mean an entire industrial manufacturing plant.)

Fault—a fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to those on the other side.

Flood Plain—the lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, that are inundated by the 100-year flood.

Final Cover—cover material that is applied to minimize the infiltration of precipitation in a facility and revegetated to control erosion.

Food-Chain Crops—crops grown for human consumption; tobacco; and crops grown to feed animals that are consumed by humans.

Freeboard—the vertical distance between the lowest point of the top of a facility levee and the surface of the liquid waste contained therein.

Freshwater Aquifer—an aquifer containing water with quantities of total dissolved solids of less than 10,000 mg/L that is capable of yielding usable quantities of groundwater to drinking-water wells, industrial pumps, springs, or streams.

Friable Asbestos Waste—asbestos-containing waste that when dry may be crumbled, pulverized, or reduced to powder by hand pressure. This includes previously nonfriable material which becomes damaged to the extent that when dry it may be crumbled, pulverized, or reduced to powder by hand pressure. waste identified as friable in the current Air Quality Regulations (LAC 33:III).

Garbage—~~solid waste that includes animal and vegetable matter from the handling, preparation, cooking, and serving of foods, but that does not include industrial solid waste.~~

Generator—any person whose act or process produces solid waste as defined in these regulations.

Geotechnical Borehole—an exploratory borehole drilled, augered, bored, or cored to obtain soil samples to be analyzed for chemical and/or physical properties.

Governmental agencies—Local, parish, state, municipal, and federal governing authorities having jurisdiction over a defined geographic area.

Groundwater—~~water below the land ground surface or below a surface water body in the a saturated zone of saturation or medium.~~

Hazardous Waste—waste identified as hazardous in the current Louisiana Hazardous Waste Regulations (LAC 33:V) and/or by the federal government under the Resource Conservation and Recovery Act and subsequent amendments.

Holocene—the most recent epoch of the Quaternary period, extending from the end of the Pleistocene Epoch to the present.

Implement—to carry out, accomplish, and ensure actual fulfillment by specific means or by providing instruments or means of accomplishment.

Implementation Schedule—a timetable for completing a predetermined implementation plan.

Impoundment—see Surface Impoundment.

Inactive (or Abandoned) Facility—a solid waste storage, processing, or disposal facility that no longer receives solid waste and has not been closed in accordance with Louisiana Solid Waste Regulations.

Incinerator—any enclosed device using controlled-flame combustion that neither meets the criteria for classification as a boiler nor is listed as an industrial furnace and is not a boiler nor an industrial furnace as defined in LAC 33:V.109.

Incinerator Waste-handling Facility—a facility which processes solid waste which has been received, thermally oxidized, and/or decomposed by an incinerator.

Incinerator Ash—residual solid waste which has been received, thermally oxidized, and/or decomposed by an incinerator.

Incorporation into Soil—the injection of solid waste beneath the surface of soil, or the mixing of solid waste with the surface soil.

Industrial Establishment—~~a business, including its structures and property, that is involved in the production or manufacture of goods or commodities.~~

Industrial Solid Waste—solid waste generated by a manufacturing, industrial, or mining process, or which is contaminated by solid waste generated by such a process. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; ~~food and related products; by-products;~~ inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; ~~stone, glass, clay, and concrete products;~~ textile manufacturing; and transportation equipment. This term does not include hazardous waste regulated under the Louisiana Hazardous Waste Regulations or under federal law, or waste which is subject to regulation under the Office of Conservation's Statewide Order No. 29-B or by other agencies.

Industrial Solid Waste Facility—a facility for the processing, storage, and/or disposal of industrial solid waste.

Infectious Waste—any potentially contaminated solid waste generated in, but not limited to, the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. ~~waste that contains pathogens of sufficient virulence and quantity that exposure to it could result in an infectious disease in a susceptible host.~~

Initial Promulgation—the date on which the Louisiana Solid Waste Management Program first became effective, January 20, 1981.

Interim Cover—a minimum of one foot of soil that is applied to a portion of a unit or a facility.

Interim Compacted Cover—a minimum of two feet of compacted silty or sandy clay.

Isometric Profile—a three-dimensional representation of subsurface features depicted

in such a fashion that the plane of projection is projected to the three spatial axes.

Karst Terranes—areas where karst topography, with its characteristic surface and subterranean features, is developed as the result of dissolution of limestone, dolomite, or other soluble rock. Characteristic physiographic features present in karst terranes include, but are not limited to, sinkholes, sinking streams, caves, large springs, and blind valleys.

Landfarm—a facility for the disposal of solid wastes in which wastes are applied to the land and/or incorporated into the soil for biological reduction and soil attenuation.

Landfill—a facility for the disposal of solid waste, other than landfarm(s) or surface impoundment(s), that disposes of solid waste by placing it on or into the land surface and usually also compacting and covering with suitable cover material to a depth and at a frequency sufficient to control disease vectors and odors and in a manner that protects human health and the environment.

Leachate—a liquid that has passed through or emerged from solid waste and may contain soluble, suspended, or miscible materials removed from such wastes.

Leak-Detection Well—a well used to determine the escape of liquids from a permitted solid waste facility.

Liabilities—probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future as a result of past transactions or events.

Liner—layer or layers of material(s) beneath and on the sides of a solid waste disposal facility that are designed to restrict the escape of wastes or their constituents from the facility.

Liquid Waste—any waste material that is determined to contain "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods of Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846).

Lithified Earth Material—all rock, including all naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include man-made materials, such as fill, concrete, and asphalt, or unconsolidated earth materials, soil, or regolith lying at or near the earth's surface.

Litter—exposed solid waste outside the active portion of a unit of a facility.

Lower-Explosive Limit—the lowest percent by volume of a mixture of explosive gases in the air that will propagate a flame at 25 degrees centigrade and atmospheric pressure.

Major Modification—any change in a site, facility, process or disposal method, or operation which substantially deviates from the permit or tends to substantially increase the impact of the site, facility, process or disposal method, or operation on the environment.

~~*Mandatory Modification*—any change in a site, facility, unit, process or disposal method, or operation that is required as a result of these regulations.~~

~~*Mandatory Modification Document*—a document submitted by existing facilities in conformance with LAC 33:VII.315.G which applies for a mandatory modification and which amends or adds to each portion of the permit at issue so that the permit meets the requirements of these regulations. The document must conform to the requirements for permit modifications found in LAC 33:VII.517.~~

Manure—a solid waste composed of excreta of animals and any residual materials that have been used for bedding, sanitary, or feeding purposes for such animals.

Maximum Horizontal Acceleration in Lithified Earth Material—the maximum expected horizontal acceleration depicted on a seismic hazard map, with a 90 percent or greater probability that the acceleration will not be exceeded in 250 years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment.

Mesophilic Stage—a biological stage in the composting process characterized by active bacteria which favor a moderate temperature range of 20 to 45 degrees Centigrade. It occurs later in the composting process than the thermophilic stage and is associated with a moderate rate of decomposition.

Minor Modification—any modification that does not meet the criteria for a major modification.

Modification—any change in a site, facility, unit, process or disposal method, or operation that deviates from the specifications in the permit. Routine or emergency maintenance which does not cause the facility to deviate from the specifications of the permit is not considered a modification.

Monitoring Well—a well used to obtain hydraulic and/or water-quality data and to satisfy regulatory requirements for groundwater monitoring at regulated units, usually installed at or near a known or potential source of groundwater contamination.

Municipal Solid Waste—Residential and commercial solid waste.

Municipal Solid Waste Landfill or *MSW Landfill*— an entire disposal facility in a contiguous geographical space where residential solid waste or commercial solid waste is placed in or on land.

Net Worth—total assets minus total liabilities and equivalent to the person's equity.

Non-Routine Spill Event—Spills occurring during situations which are not considered to be part of normal operating routines for a facility.

~~*Observation Well*—a well used to obtain information on the water resources of an area.~~

100-Year Flood—a flood that has a one percent or greater chance of occurring in any year, or a flood of a magnitude equaled or exceeded once in 100 years on average over a significantly long period.

~~*Off-Site Processing/Disposal Area*—a location for the processing and/or disposal of solid waste that is not on the generator's site.~~

On-Site Processing/Disposal Area—the land area and appurtenances thereon used for processing and/or disposal of solid waste on the same property or on geographically contiguous property, where waste is generated. Two or more pieces of property that are geographically contiguous but divided by public or private right(s)-of-way are considered a single site.

Open Burning—the combustion of solid waste without control of combustion air to maintain adequate temperature for efficient combustion, containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion, and control of the emission of the combustion products.

~~*Open Dump*—a solid waste processing or disposal facility which existed prior to 1985, and has not yet attained closure. has been issued a temporary permit and may not comply with the standards set by these regulations.~~

Operating Area—the portion of a facility that is actively involved in the storage, processing, or disposal of solid waste.

Order Authorizing Commencement of Operations—a written authorization issued by the administrative authority after a permit-holder has completed all upgrading measures or completed construction measures, provided the required certification and a successful initial start-up inspection has been conducted by a representative of the department ~~Solid Waste Division~~.

Parent Corporation—a corporation which directly owns at least 50 percent of the voting stock of the corporation which is the facility permit holder; the latter corporation is deemed a "subsidiary" of the parent corporation.

Permit—a written authorization issued by the administrative authority to a person for the construction, installation, modification, operation, closure, or post closure of a certain facility used or intended to be used to process or dispose of solid waste in accordance with the act, these regulations, and specified terms and conditions.

Permittee/Permit Holder—a person who is issued a permit and is responsible for meeting all conditions of the permit and these regulations at a facility.

Person—an individual, trust, firm, joint-stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political

subdivision of the state, interstate body, or the federal government or any agency of the federal government.

pH—the logarithm of the reciprocal of hydrogen-ion concentration.

~~*Pickup Station*—a facility, at which one or more containers are located, which is used to accumulate industrial solid waste or to accumulate solid waste generated by more than one household or commercial establishment for pickup by a transporter. This definition does not include containers which receive only solid waste generated on property which is contiguous with the property on which the container is located (e.g., containers located at and receiving solid waste only from a multiunit dwelling, a commercial establishment, or an industrial establishment.)~~

Piezometer—a well with the sole function of determining groundwater elevation.

Pilot Hole—a hole drilled with the intent to install casing and to produce water. It is usually of a smaller diameter than the proposed well and has to be reamed to a larger diameter for the installation of a casing and screen.

~~*Poor Foundation Conditions*—those areas where features exist which indicate that a natural or man induced event may result in inadequate foundation support for the structural components of a facility.~~

Potable Water—water with bacteriological, physical, and chemical properties that make it suitable for human consumption.

Potentiometric Surface—the surface that represents the static head with reference to a specified datum, such as the National Geodetic Vertical Datum (NGVD). As the term relates to aquifers, it is defined by the levels to which water will rise in tightly cased wells.

~~*Practice(s)*—act(s) of storing, processing, collecting, transporting, or disposing of solid wastes.~~

Premises—a unit of land and/or buildings, or any portion thereof. Property shall be considered as contiguous parcels even if separated by a utility easement, road, or railroad right of way.

Process—a method or technique, including recycling, recovering, compacting (~~but not including compacting which occurs solely within a transportation vehicle~~), composting, incinerating, shredding, baling, recovering resources, pyrolyzing, or any other method or technique designed to change the physical, chemical, or biological character or composition of a solid waste to render it safer for transport; reduced in volume; amenable for recovery, storage, reshipment, or resale. The definition of process does not include treatment of wastewaters to meet state or federal wastewater discharge permit limits. Neither does the definition include activities of an industrial generator to simply separate wastes from the manufacturing process.

Promiscuous Dump—a solid waste disposal facility that has resulted from disposal activities of persons other than the landowner and whose operation is not permitted by the

administrative authority.

Putrescible—susceptible to rapid decomposition by bacteria, fungi, or oxidation, creating noxious odors.

Reclassified Waste—a particular solid waste that the administrative authority has determined is no longer classified as a hazardous waste subject to regulation under the Louisiana Hazardous Waste Regulations. Such wastes are "reclassified" as solid waste and are subject to regulation under these regulations.

Recovery Well—a well used to remove groundwater that has been determined to be contaminated.

Refuse-Derived Fuel—fuel processed from combustible solid waste.

Refuse-Derived Fuel Facility—a solid waste facility where fuel is processed from combustible solid waste.

Regulated Infectious Waste—infectious waste that is generated, stored, collected, transported, processed, incinerated or disposed by any person as defined in these regulations.

Residence—a single or multiunit dwelling, whether owned, leased, or rented by its occupant(s).

Residential Solid Waste—any solid waste (including garbage, trash, and sludges from residential septic tanks and wastewater treatment facilities) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

Resource Recovery—the process by which solid waste that retains useful physical or chemical properties is reused or recycled for the same or other purposes, including uses as energy sources.

Runoff—any rainwater, leachate, or other liquid that drains from any part of a facility.

Run-on—any rainwater ~~or other liquid~~ that drains onto any part of a facility.

Salvaging—the controlled removal of waste materials for later use.

Sanitary Landfill—a landfill for the disposal of commercial or residential solid waste by deposit in a landfill in layers covered with suitable cover material of a depth and at a frequency adequate to control disease vectors and odors, and in such a manner that minimizes the risk to human health and the environment. It is located, contoured, and designed so that it will not constitute a source of water pollution.

Scavenging—unauthorized removal of solid waste materials from a disposal or processing facility.

Seismic-Impact Zone—an area with a 10 percent or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10 g in 250 years.

Separation Facility—a solid waste facility at which recyclables are separated from the solid waste stream for future use.

Septage—the contents of a septic tank, cesspool, or other individual sewage-treatment facility which receives domestic-sewage wastes.

Service Area—the geographic area serviced by a solid waste facility in which solid waste is generated, collected, and transported for delivery to that solid waste facility.

Sewage Sludge—sludge resulting from treatment of wastewater from publicly or privately owned or operated sewage-treatment plants.

Sharps—any pointed or sharp device meeting the definition of Infectious waste. This includes, but is not limited to, needles, scalpel blades, broken glass, and other such implements.

Shredder—a solid waste facility which reduces the particle size of solid waste by grinding, milling, shredding, or rasping.

Site—the physical location, including land area and appurtenances, of an existing or proposed storage, processing, or disposal facility. A site may consist of a number of facilities, each subject to a permit to process or dispose of solid waste.

Sludge—residue produced by or precipitated from a treatment process.

~~*Soil pH*—a pH value obtained by sampling the soil to the depth of cultivation or solid waste placement. Test methodologies shall be in accordance with "Test Methods for Evaluation of Solid Waste, Physical/Chemical Methods" (EPA Pub. No. SW-846).~~

Soil Water—Water contained in pore spaces in the soil above the zone of saturation.

Solid Waste—any garbage, refuse, or sludge from a wastewater-treatment plant, water-supply treatment plant, or air pollution—control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities. *Solid waste* does not include solid or dissolved material in domestic sewage; solid or dissolved materials in irrigation-return flows; industrial discharges that are point sources subject to permits under R.S. 30:2075; source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (68 Stat. 923 et seq.), as amended; or hazardous waste subject to permits under R.S. 30:2171 et seq.

~~*Solid Waste Division*—Solid Waste Division, Louisiana Department of Environmental Quality.~~

Solid Waste Management System—the entire process of collection, transportation, storage, processing, and disposal of solid waste by any person engaged in such process as a business or by any municipality, authority, trust, parish, or any combination thereof.

Special Waste—Waste streams which are not considered to be industrial solid waste by definition, but which require testing, handling or disposal practices normally reserved for industrial wastes.

Spill—any unauthorized discharge or release of solid waste into or onto the land, air, or water.

Stabilize (Compost)—compost that has at least passed through the thermophilic stage and in which biological decomposition of the solid waste has occurred to a sufficient degree to allow beneficial use.

Standard Permit—written authorization issued by the administrative authority to an applicant who has successfully completed the permit application process for a processing or disposal facility.

Storage—the containment of solid waste on surfaces or in containers capable of preventing groundwater contamination in a means not constituting processing or disposal.

Surface Application—placement of solid waste onto a landfarm without incorporating it into the soil.

Surface Impoundment—a facility consisting of a natural topographic depression, manmade excavation, or diked area usually formed primarily of earthen materials (although it may be lined with man-made materials), designed to hold an accumulation of liquid waste and/or sludge, that is not an injection well, landfarm, landfill, or tank. Runoff and containment areas (ROCAs) of landfarms are considered to be surface impoundments.

Surface-Recharge Zone—an area where a formation or formations that compose an aquifer intersect the land surface and receive water from percolation, precipitation, or surface-water bodies.

Tangible Net Worth—the tangible assets that remain after deducting liabilities; such assets would not include intangibles such as goodwill and rights to patents and royalties.

Tank—a stationary device designed to contain an accumulation of solid waste and constructed of nonearthen materials that provide structural support. The term "tank" does not include underground storage tanks as defined by the Underground Storage Tank Rules and Regulations (LAC 33:XI).

Temporary Permit—an administrative order ~~written authorization~~ issued by the administrative authority for a specific amount of time to a person for the construction, installation,

operation, closure, or post closure of a particular facility used or intended to be used for processing or disposing of solid waste in accordance with the act, these regulations, and specified terms and conditions.

Test Hole—an exploratory borehole drilled to obtain geologic, hydrologic, or water-quality data.

Thermophilic Stage—a biological stage in the composting process characterized by active bacteria which favor a high temperature range of 45 to 75°C. It occurs early in the composting process, before the mesophilic stage, and is associated with a high rate of decomposition.

Topsoil—the surface layer of soil, capable of promoting growth of vegetation.

Toxicity Characteristic Leaching Procedure (TCLP)—a method to determine if a waste exhibits hazardous characteristics conducted in accordance with LAC 33:Part V.

Transfer Station—a solid waste processing facility where solid waste is removed transferred from one collection vehicles or container, processed, including but not limited to compaction and sorting, and placed in other vehicles for transportation.

Transport—to move industrial solid waste off-site and/or to move solid waste of a commercial establishment or more than one household to a storage, processing, or disposal facility.

Transporter—any person who moves industrial solid waste off-site and/or who moves solid waste of a commercial establishment or more than one household to a storage, processing, or disposal facility.

Trash—~~nonputrescible refuse including white goods, furniture, and wood and metal goods.~~

Treatment Zone—the depth in the soil of a landfarm into which solid waste has been incorporated and additional depths to which decomposition is occurring based on site-specific conditions.

Type (of Waste)—~~a category of waste in a general classification defined for solid waste management purposes (e.g., commercial, industrial, residential).~~

Type I Facility—a facility used for disposing of industrial solid wastes. (If the facility is also used for disposing of residential or commercial solid waste, it is also a Type II facility).

Type I-A Facility—a facility used for processing industrial solid waste (e.g., transfer station, incinerator waste-handling facility, shredder, baler, or compactor). (If the facility is also used for processing residential or commercial solid waste, it is also a Type II-A facility).

Type II Facility—a facility used for disposing of residential or commercial solid waste. (If the facility also is used for disposing of industrial solid waste, it is also a Type I facility).

Type II-A Facility—a facility used for processing residential or commercial solid waste (e.g., transfer station, incinerator waste-handling facility, refuse-derived fuel facility, shredder, baler, or compactor). (If the facility is also used for processing industrial solid waste, it is also a Type I-A facility).

Type III Facility—a facility used for disposing or processing of construction/demolition debris or woodwaste, composting organic waste to produce a usable material, or separating recyclable wastes (a separation facility). Residential, commercial, or industrial solid waste must not be disposed of in a Type III facility.

Unauthorized Discharge—a continuous, intermittent, or one time discharge, whether intentional, anticipated, or unanticipated, from any source, permitted or unpermitted, which is in contravention of any provision of the act or of any permit or license terms and conditions, or of any applicable regulation, compliance schedule, variance, or exemption of the administrative authority.

Unauthorized Dump—a solid waste disposal facility whose operation is not authorized by the administrative authority.

Unit of a Facility—designated area of a facility wherein solid waste is, has been, or will be processed, stored, or disposed of.

Unstable Area—a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill. Unstable areas can include poor foundation conditions, areas susceptible to mass movement, and Karst terranes.

Uppermost Aquifer—the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

Vector—animals such as rodents, fleas, flies, mosquitoes, roaches and other arthropods that are capable of transmitting diseases to humans.

Water Table—the upper surface of the zone of saturation at which the pressure is equal to the atmospheric pressure.

Wetlands—those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wet-Weight Tons—the actual weight of waste as received at the gate, not corrected for moisture content.

White Goods—discarded domestic and commercial appliances, such as refrigerators, ranges, washers, and water heaters.

Woodwaste—yard trash and types of waste typically generated by sawmills, plywood mills, and woodyards associated with the lumber and paper industry, such as wood residue, cutoffs, wood chips, sawdust, wood shavings, bark, wood refuse, wood-fired boiler ash, and plywood or other bonded materials that contain only phenolic-based glues or other glues that are approved specifically by the administrative authority. Treated or painted lumber is not considered woodwaste under this definition.

Working Face—that portion of a landfill where waste is currently being added during the operating day.

Yard Trash—vegetative matter resulting from landscaping, maintenance, or land-clearing operations, including tree and shrubbery leaves and limbs, grass clippings, and flowers.

Zone of Incorporation—the depth to which solid waste has been incorporated into the soil of a landfarm.

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